

HR 5692 (PL 156)

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1st Session } No. 93-265

REVISION OF REPORTING REQUIREMENT CONCERNING FEDERAL EMPLOYEES' TRAINING

JUNE 8, 1973.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. HENDERSON, from the Committee on Post Office and Civil Service,
submitted the following

REPORT

[To accompany H.R. 5692]

The Committee on Post Office and Civil Service, to whom was referred the bill H.R. 5692 to amend title 5, United States Code, to revise the reporting requirement contained in subsection (b) of section 1308, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of this legislation is to eliminate the requirement under section 1308(b) of title 5, United States Code, that the Civil Service Commission submit to the President for transmittal to the Congress, a form covering each Federal employee who undergoes more than 120 days of training in a non-Government facility and a form covering each Federal employee who receives an award or contribution incident to training in a non-Government facility.

COMMITTEE ACTION

H.R. 5692 was introduced by Chairman Dulski at the request of the Civil Service Commission. No hearings were held on this legislation during this session of the Congress. However, a hearing on similar legislation (H.R. 134), which was approved by the House but was not acted upon by the Senate, was held during the 92d Congress (Committee hearing No. 92-8).

H.R. 5692 was ordered reported by unanimous voice vote of the full committee on June 7, 1973.

STATEMENT

Section 1308 of title 5, United States Code, now requires two types of annual reports on the operation of the Government employees training program to be submitted to the Congress.

One report, required by section 1308(a)(4) of title 5, includes a statement on the training of employees under the Government employees training program, a summary of the operations and results of training programs, information concerning expenditures for training, statistical data on participants in training in non-Government facilities, a statement concerning the benefits of training programs, and recommendations and other matters considered appropriate. The requirement for this report is fulfilled by appendix J, report on agency training activities, which is contained in the annual report of the Civil Service Commission submitted to the President and the Congress.

The second report, which is required by section 1308(b) of title 5, primarily consists of agency forms showing the name, grade, title, and primary duties of each employee who undergoes training of more than 120 days in a non-Government facility; the name of the non-Government facility used; the nature, length, and cost of the training; the relationship of the training to the official duties of the employee; and the names of employees who receive contributions or awards from outside sources incident to training in non-Government facilities.

A separate form is required for each employee in both categories, thus necessitating the physical transmittal of several hundred forms to the Congress.

H.R. 5692 proposes to eliminate the requirement for the submission to the Congress of the report now required under section 1308(b) of title 5, as discussed above. In lieu of such report the Civil Service Commission would provide annually to Congress an analysis of the administration and operation of the Government employees training program.

The report and the accompanying forms now required under section 1308(b) serve no useful purpose to the Congress, particularly in view of the fact that the information contained in such forms is summarized in the report which is required to be transmitted to the Congress under section 1308(a)(4) of title 5.

In 1967, the Subcommittee on Manpower and Civil Service issued a "Report Covering the Effectiveness of Implementation of the Government Employees Training Act" (House Report 90-329). That report concluded that:

The requirement of the Training Act providing for submitting to the Congress annually individual names and other data on employees who attend training provided by non-Government facilities in excess of 120 days is unrealistic. No evidence can be found that this information, although provided on an annual basis, has ever been used by the Congress, or for that matter, provides any information which would be useful to the Congress. Several volumes of these name listings

and other data are provided to the Congress each year from all over the world and provides no useful information upon which the Congress can base judgments.

Therefore, in view of the lack of need for the report now required under section 1308(b), the minor administrative problems it creates in both the executive and legislative branches, and the absence of opposition to this legislation, the committee strongly recommends passage of H.R. 5692.

ANALYSIS OF H.R. 5692

H.R. 5692 amends section 1308(b) of title 5, United States Code, by revising the reporting requirement contained therein.

Section 1308(b) now provides that the Civil Service Commission shall report annually to the President for transmittal to Congress on the administration of chapter 41 of title 5 (relating to training), including the information received by the Commission from the agencies under section 4113(b) (2) and (3) of title 5. Section 4113(b) requires each agency to report annually to the Commission on its programs and plans for the training of employees, and paragraphs (2) and (3) of such section 4113(b) provides that the report set forth the name of each employee of the agency, except a student participating in a co-operative educational program, who, during the period covered by the report, received training by, in, or through a non-Government facility for more than 120 days; the grade, title, and primary duties of the position held by the employee; the name of the non-Government facility from which the training was received; the nature, length, and cost of the training to the Government; the relationship of the training to official duties; and the name of each employee of the agency who received a contribution or award under section 4111(a) during the period covered by the report.

Pursuant to section 1308(a) (4) of title 5, the Civil Service Commission summarizes the above information as a part of its annual report.

H.R. 5692 would eliminate the report now required by section 1308(b) of title 5 and, in lieu thereof, would require the Civil Service Commission to provide annually to Congress an analysis of the administration and operation of the Government employees training program.

It is important to note that H.R. 5692 will not eliminate the necessity for agency reporting as required by section 4113(b) of title 5. Only the necessity for the preparation of a report transmitting these forms to the President and the Congress will be eliminated by the enactment of this legislation.

COST

No additional cost to the Government will result from the enactment of this legislation.

ADMINISTRATIVE RECOMMENDATION

The official recommendation of the Civil Service Commission is set forth below.

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., February 27, 1973.

HON. CARL ALBERT,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: The Civil Service Commission is submitting for the consideration of the Congress proposed legislation "To amend title 5, United States Code, to revise the reporting requirement contained in subsection (b) of section 1308." Enclosed are: (1) a draft bill; (2) a section analysis of the proposed bill; and (3) a statement of purpose and justification.

That subsection now requires the Commission to send annually to the President for transmittal to the Congress detailed information of questionable utility (for the Congress) on instances of long-term training in non-Government facilities and instances of receipt of awards or contributions incident to training in such facilities. In its place, the Commission would be required to submit annually to the Congress an analysis of the administration and operation of chapter 41 of title 5, United States Code (the Government employee training program).

The Office of Management and Budget advises that from the standpoint of the administration's program there is no objection to the submission of this proposed legislation for the consideration of the Congress.

A similar letter is being sent to the President of the Senate.

By direction of the Commission:

Sincerely yours,

ROBERT E. HAMPTON, *Chairman.*

STATEMENT OF PURPOSE AND JUSTIFICATION

Purpose

To revise a reporting requirement now contained in subsection (b) of section 1308 of title 5, United States Code. This reporting requirement involves the physical transmittal of agency training reports to the President and the Congress.

Justification

Under present law, there are two reports to the Congress required annually concerning the operation of the Government employee training program. The proposed bill would revise one of these requirements so as to eliminate the transmittal of information of questionable utility (for the Congress) on instances of long-term training in non-Government facilities and instances of receipt of awards or contributions incident to training in such facilities. This requirement (in subsection (b) of section 1308 of title 5, United States Code) necessitates sending several hundred forms to the President for transmittal to the Congress. In its "Report Covering the Effectiveness of Implementation of the Government Employees Training Act," of June 1, 1967, (House Rept. No. 329, 90th Congress, 1st Session), the House Subcommittee on Manpower and Civil Service indicated that no evidence could be found that these voluminous reports provided any information which would be useful to the Congress.

A summary of the information contained in the forms described above must be reported to the President for transmittal to the Congress under another provision of law (subsection (a) of section 1308 of title 5, United States Code). Appendix J, "Report on Agency Training Activities," to the annual report of the Civil Service Commission to the President and the Congress fulfills this requirement. The proposed bill would not affect this requirement.

Instead of the voluminous report now called for by subsection (b) of section 1308 of title 5, United States Code, the Commission would, under the proposed bill, provide to Congress annually an analysis of the administration and operation of chapter 41 of that title. The report prepared annually by the Commission's Bureau of Training, "Employee Training in the Federal Service," typifies the kind of analytical report the Commission would submit to the Congress under the proposed bill. (Copies of that report have been submitted to the Committees on Post Office and Civil Service of the United States Senate and the House of Representatives for several years under arrangements made in 1969).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman) :

SECTION 1308 OF TITLE 5, UNITED STATES CODE

PART II—THE UNITED STATES CIVIL SERVICE COMMISSION

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CHAPTER 13—SPECIAL AUTHORITY

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§ 1308. Annual reports

(a) * * *

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[(b) The Commission shall report annually to the President for transmittal to Congress on the administration of chapter 41 of this title, including the information received by the Commission from the agencies under section 4113(b) (2) and (3) of this title.]

(b) The Commission shall annually provide an analysis to Congress of the administration and operation of chapter 41 of this title.

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